

Remarks

Currently pending are claims 1 and 7-10. Claim 1 has been amended to recite a composition comprising a nickel complex pigment of formula (3b1) and a disperse dye of formula (1a). No new matter has been added.

35 U.S.C. § 103(a)

The Examiner has rejected claims 1-10 under 35 U.S.C. § 103(a) as being unpatentable over Hildebrand et al. 942 or Hildebrand et al. 924 in view of Sieber 786 and Sieber 536 as set forth in the Office Communication mailed 5/9/07.

In the Office Communication mailed 11/16/08, the Examiner notes that upon further review of the Declaration of Sperissen (“Declaration”) filed 4/20/07:

“(b) the compositions with component (3a1) have not been considered since they are directed to a non-elected specie; . . .

(d) the composition with species (1a) + (3a1) shows convincing unexpected results as the deltaE* is lower than the single components – the examiner remarks that amended claims directed to the specific composition of (1a) and (3a1) would not be taught or suggested in the recited prior art.” *Office Communication mailed 11/16/07 at 2-3.*

Since species (3a1) is a non-elected species, Applicants assume (d) contains a clerical error and should instead read “amended claims directed to the specific composition of (1a) and (3b1) would not be taught or suggested in the recited prior art” since this composition demonstrates a lower deltaE* than either of the single components (1a) or (3b1). *See also Declaration at 3.* Accordingly, Applicants have amended claim 1 to recite a composition comprising the compounds of formula (1a) and (3b1).

In view of the amendments and remarks above, Applicants respectfully request the rejections under 103(a) be withdrawn and the issuance of a Notice of Allowance toward the pending claims.

Should any fee be due in connection with the filing of this document, the Commissioner for Patents is hereby authorized to deduct said fee from Huntsman Corporation Deposit Account No. 08-3442.

Respectfully Submitted,

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